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**Attorney for Plaintiffs**

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF ALASKA**

LINDA TELLSWORTH, individually, and as )  
a Personal Representative of the Estate of )  
KYLE TELLSWORTH, )

Plaintiff, )

vs. )

UNITED STATES OF AMERICA, )

Defendant. )

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UNITED STATES OF AMERICA, )

Third-Party Plaintiff, )

vs. )

MICHELLE DAGUE, )

Third-Party Defendant. )

Case No. A00-0293 CV (JKS)

**STATUS REPORT OF PARTIES**

Very recently State Superior Court Judge Phillip Volland made what appears to be the final ruling in the criminal matter involving Third Party Defendant

Michelle Dague. The ruling was favorable to Ms. Dague, and all information available to the parties is that the prosecutors (State of Alaska) will not seek either reconsideration or review. Thus, the criminal matter is concluded and the civil matter, suspended for so long, can now go forward.

The parties respectfully request 21 days to “dust off” their files, reacquaint themselves with the matter, and then meet in order to develop a discovery plan to be submitted for court approval.

DATED: October 29, 2007

s/ George M. Kapolchok  
George M. Kapolchok  
Alaska Bar No.: 7510071  
Attorney for Plaintiff

DATED: October 29, 2007

s/ Richard L. Pomeroy  
Richard L. Pomeroy  
Alaska Bar No.: 8906031  
Attorney for USA

DATED: October 29, 2007

s/ Peter J. Maassen  
Peter J. Maassen  
Alaska Bar No.: 8106032  
Attorney for Michelle Dague

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29th day  
of October, 2007, a copy of the foregoing  
was served electronically upon:

Peter Maassen  
Ingaldson Maassen  
813 W. 3<sup>rd</sup> Ave.  
Anchorage, AK 99501

Richard L. Pomeroy  
Assistant U.S. Attorney  
U.S. Department of Justice  
U.S. Attorney's Office, District of Alaska  
222 W. 7<sup>th</sup> Ave., #9 Room 253  
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/s/ Paula Beneke  
Kapolchok Law Offices, LLC